IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

FIRST APPEAL NO.1195 OF 2006

Shivraj Service Station & ors. Appellants
vs.
Employees State Insurance Corproation Respondent

Mr.Uday Warunjikar for the appellant.

Mr.P.M.Palshikar for the respondent.

CORAM : ANOOP V. MOHTA,J.

DATED : 31st July, 2007

P.C.

In the present first appeal, the appellant has challenged order dated 4.2.2006 passed by the Employees Insurance Court, Satara whereby an application (Ex. 2) filed for interim relief was rejected. The learned counsel appearing for the respondent submits hat there is no cause of action to initiate such proceedings as it was oral order and there was nothing communicated in writing with regard to the issues raised by the appellant. Admittedly, there was status-quo order passed by the Civil Court which was continued for more than three years. Before rejecting his application (Ex.2) the ESI Court, Satara had granted interim relief,

but finally rejected the same.

2. An ad-interim order granted on 2.6.2006 has been continued till this date.

3. Taking all this into account, in my opinion, it is desirable that the concerned Employees Insurance Court, Satara to decide the main application as expeditiously as possible preferably within three months and specially in view of the statement that there is no cause of action against the appellant.

4. Resultantly, the first appeal is allowed. The ad-interim order granted by this Court shall continue for three months pending the decision of application i.e. ESI Application no.5/2005.

[ANOOP V. MOHTA,J.]